

## **MEETING MINUTES**

### **El Dorado Project No. 184-CA Ecological Resources Committee Related to the Collaborative Agreement February 17, 2004**

Attendees: Thomas Cumpston (EID), Dan Downey (EID), Jake Eymann (EID), Richard Floch (Richard Floch & Associates), Thomas Henie (Kirkwood Meadows Public Utility District), Alice Howard, Cheri Jaggars (EID), David Jermstad (Carlton Engineering), Pat Johnson (EID), Mark Korkowski (EID), Stafford Lehr (California Department of Fish and Game), Rick Lind (EN2 Resources), Osha Meserve (Remy, Thomas, Moose & Manley) Harold Meyer (ECORP Consulting), Cheryl Mulder (U.S. Forest Service), Beth Paulson (U.S. Forest Service), Brad Pearson (Kit Carson Lodge, League to Save Sierra Lakes), Norbert Rupp (League to Save Sierra Lakes), Chris Shutes, Bill Slightam (EID), Evelyn Spirou (Amador County), Steve Setoodeh (EID), Leonard Turnbeaugh (Alpine County), Ilonka Weber (EID).

The Ecological Resources Committee meeting convened on Tuesday, February 17, 2004, at approximately 9:10 a.m. at the offices of the El Dorado Irrigation District. A welcome was given by Tom Cumpston to all ERC attendees, and introductions were made.

#### **1. Welcome and Introductions**

FERC and the U.S. Fish and Wildlife Service want to have further discussions and additional study regarding the red-legged frog and bald eagle issues. Indication was given that such study would begin in the spring of this year. FERC wants to resolve these issues before licensing is complete. Peter Epanchin, USFWS, was unavailable for today's meeting. However, FERC, EID and the U.S. Fish and Wildlife Service had a telephone conference call scheduled for 9:00 a.m. on Wednesday, February 18, 2004. The contact individual was Susan O'Brien (FERC) at (202) 502-8449.

#### **2. ERC Meeting Scheduling Practices (*Paul Creger*)**

As Paul Creger was not in attendance, Item 2 will be discussed at a later date. Mr. Cumpston did address the scheduling proposal for upcoming ERC meetings in Item 13.

### **3. Report on Settlement Agreement with League to Save Sierra Lakes, et al. (Tom Cumpston, EID)**

#### **3.a. Addition of Kirkwood Meadows PUD and League to ERC**

Tom Cumpston reported on the Settlement Agreement regarding *League to Save Sierra Lakes, et al. v. EID, et al.* The settlement negotiation and mediator were proposed by Stephan Volker, counsel for the League, and resulted in a successful three-day mediation. Mr. Cumpston elucidated on the particulars of the agreement. The formal Settlement Agreement resolves all lawsuits. EID will adopt a resolution in the form of Attachment A to the agreement. As a result of the successful endeavor, Kirkwood Meadows and the League will sign the Relicensing Settlement Agreement and are seeking to become members of the Ecological Resources Committee. All defendants are contributing a total of \$150,000 held by Kirkwood Meadows PUD. The purpose is to enhance Silver and Caples Lakes fisheries. Attachment D to the agreement is to provide funding for trophy fish in these lakes for a minimum of ten years. Finally, \$100,000 from the defendants will go to the League to settle legal expenses. Stephan Volker is in the process of acquiring signatures from all parties on the agreement. Within 30 days after all signatures are acquired, the monies will be deposited and the lawsuits will be officially dismissed. Mr. Volker reported to Mr. Cumpston that the Sierra Club is also willing to sign the Relicensing Settlement Agreement and become a member of the ERC. Mr. Cumpston requested formal confirmation from the Sierra Club regarding their commitment. The floor was open for questions, of which there were none.

#### **3.b. Discussion of Proposed Use of Fisheries Enhancement Fund**

Stafford Lehr of the California Department of Fish and Game began the discussion regarding the Fisheries Enhancement Fund. Trophy trout may not be as cost effective a measure and with the constraints being placed on the hatcheries, it was proposed that a supply of smaller “catchable” fish would potentially extend the account beyond the ten-year window. Mr. Lehr expressed cost-effective philosophies regarding stocking catchable fish and extending the benefit as long as possible to the benefit of the greater populace. He granted that once or twice a year, augmentation of trophy fish would be a good idea. There is also “carry-over” within the reservoirs; some fish that are planted will survive from year to year in these lakes. Mr. Lehr has not had a chance to formally discuss with Alpine Fish & Game the various issues involving this subject.

Leonard Turnbeaugh, Director of Public Works and County Surveyor for Alpine County, proposed both catchable and trophy fish. The Caple Lake has been previously stocked with 15,000 pounds of fish, and he proposed that the future “stock” fish not be hybrids. He would like to see a strain of fish that resembles the wild rainbow. Survival of the fish should be our goal. The potential is to put in more fish the first few years and taper off in the remaining years and let fish propagate accordingly.

Mr. Lehr informed us that there are ongoing studies elsewhere regarding catchable fish, and it all has to do with habitat, timing and that the catchable trout will linger in the upper

waters. Mr. Turnbeaugh informed the ERC that Mono County has been running trophy fish plants for years. The trophy fish are released into the lakes from cages to place them in the proper area. Tom Henie, General Manager for the Kirkwood Meadows Public Utility District, indicated that the goal of the Fish Enhancement Fund should be to provide good recreational opportunity and a good feeling about the results.

Concern regarding the survival of the trophy fish was expressed by Chris Shutes. He indicated that your larger planter fish (13-14 inches) would give incentive for people to come out and fish. He informed us that there are a lot of 12-14 inch planters in Silver Lake and they seem to grow rapidly. Part of the hope was that if you put some of the larger fishes in the lakes, there would be carry-over and a year later you may have 20-27 inch fish. He also recognizes that from a business aspect, having trophy fish is always good for business. He thinks a mix of trophy and catchable fish is a good idea, and we should discuss a plan.

As to the type of fish, that is another issue. Silver Lake does not have any viable spawning streams. The brown trout are also predators of other fish. For individuals who are fishing, catching a brown trout is more exciting than catching a rainbow trout. Stafford Lehr indicated that it is a lucky person who catches a brown, which is more expensive to raise. He thought a mix of fish from the business aspect is a valid point. As the trophy fish are often gone within six weeks of stocking, he emphasized his desires for catchable fish. Also, the younger the fish you release into the lakes, the less likely they will become acclimated to "Purina fish chow" and more chance for survival. Proposed that we should walk the middle ground and find a compromise; more fish for the dollar with a few larger fish. He would like to see more details. With regards to distribution of fish and holding them in a pen, there are pros and cons to both sides. He proposed a possible sub-group to explore these issues, return with a proposal at the next ERC meeting, and attempt to have something in place by Memorial Day or no later than July 4<sup>th</sup>.

Mr. Cumpston expressed that the subgroup suggestion was a good one and would like to have a proposal from the subgroup by the next meeting. As a follow up to this meeting, an email will be sent out and anyone who wants to coordinate this subgroup and anyone who wants to participate should respond accordingly. Tom Henie and Stafford Lehr then indicated that they would share coordination of the subgroup. Interested persons should contact them.

### **3.c. Sierra Club Proposal to Sign Relicensing Settlement Agreement and Join ERC**

Both the Sierra Club and the League/KMPUD were discussed at this time. Chris Shutes reported that he had talked to Dick Wentzel, and that Dick had asked him to express the following concerns to the group: a) when everyone else chose consensus last year, the League chose to continue litigation. b) in choosing to litigate, the League turned down the opportunity to join the ERC, but now it wants a second chance, and that is not right. c) things are in good shape now, so why should we change a good thing and allow a party to

join that might be disruptive? d) that he felt he had been treated badly by the League last year when he advocated settlement. And e) He does not see what the function of the League as an organization is now that it has settled.

Chris reported that despite the above, Dick had given him a specific mandate that Dick would not oppose the entry of the League into the ERC if all the other parties agreed to it. Chris stated that he personally approved of the entry of the League into the ERC.

Tom Cumpston and EID also endorsed the entry of the League into the ERC as did Alpine County. Tom Cumpston indicated that it will take time to develop good will with the League. Alice Howard indicated that she did not want to be the “fly in the ointment” but that there is language in the Settlement Agreement she takes issue with and has a call into Stephan Volker. Leonard Turnbough inquired as to the details of Ms. Howard’s concerns regarding the agreement. Alice declined to elaborate.

Stafford Lehr indicated that he was unclear about wording at the bottom of page 1 of Attachment A regarding the lake levels; the first line after the indented section. “Except for reasons beyond its control...Permit 21112....” There appears to be somewhat of an ambiguity because of the differing requirements of Permit 21112 and the Relicensing Settlement Agreement. As it is now in the open, how can we reconcile the various dates and numbers regarding the lake levels? It appears to be contradictory in content with regards to the other sections. Mr. Cumpston pointed out that there is a condition in Permit Water Right 21112 where the State retains jurisdiction and that EID will operate the project in compliance with the FERC license regarding lake levels. The resolution language was not meant to allow EID to deviate from the FERC license or play one against the other. Brad Pearson, President of the League to Save Sierra Lakes, expressed satisfaction in getting to this point. Mutual operation of these lakes makes the League very happy. Stafford Lehr informed us that they had received a complete set of OASIS files to analyze what the settlement actually means. The Department of Fish and Game is currently running its own independent analysis. On its face value with regards to the instream flow releases, all appearances are that there are no adverse effects. One of the basic questions is where does the water come out of the budget? As Mr. Lehr has only had an hour or so to study this, he needs to bring up his own comfort level. The Department has spent a lot of time analyzing what it means to release all these runs. The Department has just received the data files and is in independent settlement negotiations with EID, and projects that it will remain passively neutral. After Stafford Lehr reaches his comfort level, he expects Fish & Game will be actively in support. In light of these comments, Mr. Cumpston indicated that discussion of the League’s and KMPUD’s ERC membership be scheduled for the next ERC meeting. He indicated that EID would be amenable to a change that accurately reflects EID’s intent. Mr. Lehr then indicated that he did not want to leave the impression that the Department of Fish and Game is not comfortable. He went on to congratulate EID and AKT on the settlement. Tom Henie, General Manager for the Kirkwood Meadows Public Utility District, interjected that three hard days were spent in mediation in Sacramento regarding this case and that the Settlement Agreement is an enhancement to the collaborative agreement. He questioned whether Kirkwood Meadows PUD should be excused from any further participation

today. Mr. Cumpston advised that the ongoing ERC discussion is open to the public and that the actual language issue is not disagreed upon, but we want to take final action on this at the next meeting.

Alice Howard indicated that Stephan Volker was not authorized to make the request that he did on behalf of the Sierra Club. Tom Cumpston responded that he would not agendize anything for the ERC regarding the Sierra Club unless he received an official communication directly from the Club.

#### **4. Disposition of Tunnel Spoils (*Dave Jermstad, Carlton Engineering, Inc.*)**

Moving along from fish to rocks, Mr. Jermstead addressed issues regarding the Mill Bull Tunnel and the disposition of tunnel spoils. Traylor Brothers did have a leak in the tunnel boring machine. The spoils comprise a total of approximately 21,000 cubic yards of rock, which contains petroleum-based products from the boring machine. The hydraulic fluid found in the rock is a hydrocarbon, which is a C30 alkaline, which is a low alkaline base compared to gasoline. The hydrocarbon found in the hydraulic fluid is a much more stable compound. The Regional Water Quality Control Board agreed to options of disposal, one being having it hauled off to a dump (the District prepared a technical report regarding the gestalt of the issue), and another being used as road base. The tunnel spoils are suitable for a waiver due to the nature of the contaminant in the spoils. In September of 2003, Carlton Engineering had a meeting with Sierra Pacific regarding the rock material being used for roads. Additional testing will have to be done before the acceptance of the 21,000 cubic yards of rock. Carlton Engineering has done preliminary tests, which concluded with acceptable results.

The District has therefore requested a revised waiver from the RWQCB, and they are presently awaiting the Board's response. (The Regional Board's, Scott Kranhold, handles these matters for EID's region.) Presently, the waiver requires 4 inches of aggregate rock base whereas a newly revised waiver would not have such a requirement. The new waiver would require well-constructed and restricted access. With regards to Region 5, staff who have worked on this issue confirmed Mr. Jermstad's opinion is that these roads are so remote anyway, that the new waiver would deem them a restricted access. However, the Forest and the Sierra Pacific would require a gate for controlled access.

#### **5. Update on Project 184 Operations Related to the Settlement Agreement (*Mark Korkowski/Dan Downey, EID*)**

##### **5.a. MBT Plans/Spillway 20**

Mr. Korkowski directed us to pictures in his hand-outs, specifically Spillway 20. Due to special "features" in the defective tunnel, it is necessary to address specific safety issues. Spillway 20 will allow rapid, partial drainage from the tunnel in an emergency situation. FERC is not satisfied with the lack of a spillway. Dan Downey explained that the various

electrical equipment and transformers present at this site are vulnerable to the elements and the public. He had a meeting with the engineer last week to address these issues. A building is needed for the equipment. The implementation of a cantilever walkway was proposed to retain safe public access to this area. Dan indicated that they were concerned about the Forest Service and issues involving aesthetics regarding this project, which they want to have implemented by December 2004. Mark informed us that EID would not be using Spillway 20 except on an emergency basis, and possibly once a year for testing of the spillway controls. It will be a safeguard for the new tunnel. Once the project is designed, EID plans to forge ahead with Spillway 20 by circulating the photos and getting all interested parties to review and plans to begin construction by this October. He indicated that the spillway is a critical part of the tunnel project. We should have the final documents by the first of March. EID is attempting to wrap up the Mill Bull Tunnel and finalize permits.

Another aspect is channel restabilization. Cheryl Mulder of the U.S. Forest Service wants to work with EID to assure the public safety with regards to the spillway channel. She wants to look at it altogether. Dan Downey informed us that an initial review has been done on the culvert and the property down below. Mark Korkowski is addressing public safety and the issues that arise everyday with the tunnel project. They will be addressing the culvert issue and cleaning the channels by engineers. Cheryl Mulder and Stafford Lehr indicated that environmental valves must not be forgotten in the channel-clearing proposal. Stafford Lehr inquired as to whether Spillway 20 was one of the emergency spillways, to which Mark responded in the affirmative. Cheryl asked if there were some turn-outs already in place. Stafford indicated that in 1986 there was a map made of all the turn-outs which were to be used maybe every 20 years. We need to know if Spillway 20 is one of those. When TBI over-shot the rock, was that spillway channel where the rock came down? Stafford suggested that we go back and double-check the schematic used by PG&E and Mark reiterated that the spillways were used for emergency use only. The Forest Service requested FERC confirmation as to whether this work requires a license amendment.

The last round of FERC issues have been sent to Jim Canaday for review. It was asked by Mr. Lehr whether EID had submitted a complete CEQA package to which Tom Cumpston responded in the affirmative. Stafford then asked if this modification was going to reset some of these issues, to which Tom responded that he should direct his question to Jim Canaday but that Tom did not see it as a major change.

#### **5.b. Canal Bench and Alder Spoils Handling Area Restoration**

Dan Downey informed the ERC that Canal Bench and Alders Spoils restoration has been completed; fertilized and reseeded. Germination is now taking place. He discussed photos of Alder Spoils restoration. Dan was instructed by Mark Korkowski to give Cheryl Mulder the volume of imported materials regarding the Alder Spoils. The Forest Service asked that their geologist be updated on the slope stability study that was agreed to during the Canal Bench restoration project.

### **5.c. Mill Creek Diversion Modification Project (bore hole)**

Mark Korkowski discussed that it does benefit us to put a bore hole from the diversion in, instead of from the tunnel out. The SWRCB suggested this approach be considered. This is in preliminary stages right now. EID is moving forward on environmental review to bore the hole, which will allow us to restore the diversion from Mill Creek. Everyone will be receiving a package, which will be more detailed. EID is trying to move ahead with the hopes of wrapping up all permits regarding the tunnel. Stafford Lehr expressed concern about the “outside/in” boring philosophy and wanted EID to think really hard about the drilling of the hole. The hole itself will be approximately a four to twelve inches in diameter and four telemetry sites have been designated. Beth Paulson of the U.S. Forest Service inquired as to whether we had contacted FERC about this issue, and Mark indicated that we would be contacting FERC. He also included that in a letter from FERC of January 12<sup>th</sup>, safety issues was a topic, which the District would address.

### **5.d. Camp 2 ‘Short-Cut’ Road Restoration**

Mr. Korkowski informed us that Camp 2 ‘short cut’ road is not part of the Project 184 boundary. EID has met with the Forest Service and other interested parties at the site to discuss restoration, access, and continued dry-weather use of this road under a Special Use Permit.

## **6. Update on Resource Management and Evaluations Applicable to Settlement Agreement Protection, Mitigation and Enhancement Measures and Objectives (Mark Korkowski, EID)**

### **6.a. Bald Eagle Management Plan (Richard Floch, Floch & Associates)**

Richard Floch of Floch & Associates indicated that there was a meeting and conference call scheduled for Wednesday, February 18<sup>th</sup>, in the Silver Lake Conference Room at EID. He anticipated Pete Epanchin to be in attendance.

### **6.b. Lake Levels, Minimum Instream Flows, and Gauging Requirements (Bill Slightam, EID)**

Bill Slightam informed us that EID is going with flow requirements for the new license. Echo Creek flows are 10 cfs in February with the new license. On the gauging plan, he would like to meet with the U.S. Forest Service regarding the desired locations for temperature monitoring lake temperature. Bill discussed EID’s website and offered a phone number to call for data, which was also printed in the handouts. Tom Cumpston indicated that the State Board will have input as to the temperature sites and asked ERC who should be responsible to represent their interests with the State Board. Bill Slightam will have gauging plans prepared for review by interested parties. Chris Shutes suggested that Chris Shackleton and other boaters have good ideas about water temperatures. Mark Korkowski is looking at gauges and their beneficial uses for EID as well. Mark indicated

that EID is having a difficult time with the icing in the water (e.g., 90 cfs and freezes at 2:00 a.m. and results in no river flow). We have reported deviation below 50 cfs and are in a learning curve. EID intends to fully automate the gauging system so the employees can monitor and adjust the flows from home accurately. Ultimately, EID aspires to automating all gauging for the various valves and fish flows. He indicated that he would report “what happens, when it happens.” All deviations go to FERC for analysis. Stafford Lehr inquired as to what the possible solution would be. Mark elucidated that when the air temperature is 32 degrees or below, the water lowers down. He indicated that EID has some ideas in progress to mitigate this (e.g., open a valve ¼ instead of ½). He indicated that EID has a great facility with a lot of good coming out of the operation for fish but the programming has not been complete. Stafford Lehr informed us that NCPA has experienced fish flow deviations for a number of years and they have performed “peaks and tweaks.” FERC eventually lost patience with NCPA’s process and reached a breaking point with the relationship with NCPA. Mark indicated that he was required to report all deviations to FERC and that there has been a lot of progress made in a short period of time.

#### **6.c. Deer Fencing Improvement Requirements Camp 2 Area (*Mark Korkowski, EID*)**

An inquiry was made to Stafford Lehr by Mark Korkowski as to whether Stafford had a preference about deer fencing in the Camp 2 area or elsewhere. Beth Paulson asked if there was an operations plan prepared for them to review. Mark indicated that he did not want the fencing to fold under the weight of the snow and ultimately fall into the canal. He would like to wait on the upper section until the crews have brushed the area. It is now a great time for the fence to be brought down to the bench. Stafford Lehr indicated that it might be prudent to focus on the upper sections due to the incident with the Cal Trans Road improvements, the proximity to some of the deer herd’s summer range. Stafford indicated that he is more concerned with the upper section. Mark Korkowski indicated that in that case, EID would be presently focused on the Camp 1 area.

### **7. Update on Major Facility Repairs and Improvements Contributing Towards Settlement Agreement Objectives.**

#### **7.a. Lake Aloha Dam Maintenance and Telemetry Station Installation (*Rick Lind, EN2 Resources, Inc.*)**

Rick Lind gave a presentation of schedules regarding Lake Aloha. Beginning in August 2003, the District started putting together an assessment of what needed to be done at Lake Aloha. The District has combined the repairs and installation of telemetry due to licensing requirements. The proposed repairs also include responses to rodent and vegetation problems reported by EID crews. EN2 is presenting working on the environmental review for the repairs and the telemetry station. Shortly, everyone will receive a Notice of Intent for adoption of a CEQA Mitigated Negative Declaration for the project for a 30-day review. There are a number of topics that have to be addressed for the environmental and permitting process.



**7.b. Echo Conduit Telemetry Station, Automated Gate Valve,  
Conduit System Repairs, and Pacific Crest Trail  
Crossing (*Rick Lind, EN2 Resources, Inc.*)**

Rick Lind informed us that the gate control at the outlet of the dam is to be run by a telemetry system. With regards to the ground work, there are more extensive repairs to the tunnel. Dave Jermsted from Carlton Engineering has prepared some comparative evaluations for these repairs, and these evaluations are being reviewed by EID. We are anticipating public agency consultations and intend to get some public input and public awareness of the construction at Echo Lake. Cheryl Mulder inquired about an automated gate and would such a gate be used for the spillway? Pipes will be changed along the Tahoe area Echo Conduit during the 2005/2006 phase plan. Stafford Lehr indicated that given the dismay by the residents of Echo Lakes regarding the Settlement Agreement and water levels, he would call in law enforcement in a “heart beat” to protect public trust resources regarding Echo Lake and the water flow if the flows continue to be tampered with by the public. With telemetry, the water flows can be operated from Camp 5. All operators are being instructed with regards to every lake and water flow requirements. Mark indicated that 10cfs is required now and a valve needs to be incorporated in the spillway area of Echo Lake. Stafford indicated that the residents do not understand this and are concerned about what is coming, and they will take the matter into their own hands. Mark proposed a valve being put in and monitoring it remotely. The valve mechanism can even give us the time of day of any adjustments, which would assist law enforcement. Stafford emphasized that the residents do not understand or like the settlement and think they want it changed. He put forth that it is a complicated process and unfortunate that such adamant opposition is emanating from the Echo Chalet and that a possible out-reach program should be created. Chris Shutes suggested a notice explaining the situation should be posted possibly under glass for protection.

**8. Development of Implementation Plan and Schedule (*Mark Korkowski, EID and Richard Floch, Floch & Associates*)**

**8.a. Annual and ‘look-ahead’ 5-year Implementation Schedules (Section 4.6)**

Mark Korkowski directed ERC members to a number of schedules. Mr. Floch indicated that the first three pages are requirements from the Settlement Agreement. The District will need continuing consultant assistance during the first year and possibly subsequent years regarding fish, environmental, and other issues. The first three pages of the schedule represent the best initial estimates and subcomponents. The District is preparing to perform invertebrate monitoring as well as temperature monitoring. Richard directed ERC members to line 72 of the second page of the schedule setting forth when items left undone by the collaborative agreement will occur (e.g., stabilization of Oyster Creek, fish stream design, sedimentation efforts and geomorphic work at Caples Lake). Richard indicated that Fish & Game involvement will be required during this process. Stafford Lehr pointed out that initial involvement by Fish & Game is critical as “we do not want the horse too far out of the barn door and then get an alternative design.”

Richard Floch indicated that they have asked for proposals to complete the 106 historic preservation process. Also, RFPs are out for the preparation of transportation and trails plans, the management of various plants, and proposals for each of the species and conditions monitoring programs, etc. Richard hopes to have various proposals within the next 30 days. Beth Paulson indicated that under the Settlement Agreement there should be a plan for agency and ERC review, and Richard explained the RFP process. Beth wanted to have a timeline as to when these proposals will occur and said that the Settlement Agreement indicates that there is a stand-alone review for each project. Richard indicated we could do that where necessary, but the Settlement Agreement clearly spells out some monitoring programs.

Stafford Lehr had two issues. He is concerned about a cookie cutter approach rather than a pastry chef approach when it comes to Alder Creek fish screen and its design proposal. The second issue is that there have been changes to the California Rapid Assessment bioassay protocol, and it has gotten more expensive. There has been a reduction of individuals but the level of analysis to the remaining individuals has been taken to a higher degree. What level are we going to ask for with regards to the protocol by the monitor? We need a frank discussion by the ERC regarding specifically the macroinvertebrate issue. There is an approved macro-invertebrate protocol set by the State of California regarding the Sierra ecological region. What the State ideally wants to see is an index and make sure we comply with the criteria on the indexes, which are comprised of data that has been collected and statistically maneuvered. Mark Korkowski asserted that we will have a review process by the ERC.

#### **8.b. Resource Agency Coordination of District's Implementation Plan**

Richard Floch indicated that they have tried to put in a window of time for what they need from the agencies for the implementation plans. The Forest Service indicated that agency review needs to be anticipated in all time lines. Mark Korkowski will be writing letters to all the agencies with a priority list and when these projects are scheduled to happen.

#### **9. Interim Organization for Implementing Settlement Agreement and Associated FERC Licensing Requirements (*Mark Korkowski, EID*)**

Mark Korkowski informed ERC that EID had hired a co-head for the Hydro Division-Engineering, Leonard Marino, who will begin on March 1<sup>st</sup>. Many individuals in the District know Mr. Marino who works for the Department of Water Resources and is involved with the Oroville relicensing. He will be heading up the engineering side of the Hydro Department as well as being involved with Steve Setoodeh and his staff. Mr. Setoodeh is the Director of Environmental Compliance and Management Resources. Mr. Setoodeh is hiring two additional Environmental Specialists. Another new position within his division is the License Compliance Coordinator, who will strengthen our internal staff and be responsible for meeting required deadlines. This individual will work closely with the new co-head for Hydro, Leonard Marino.

Stafford Lehr suggested that we consult with PG&E's Licensing Coordinator, Rich Doble, as he is a great model to follow regarding licensing compliance procedures. His number is 415-973-4480. Stafford indicated that Mr. Doble has a top-notch approach to licensing compliance procedures. Steve Setoodeh will be contacting this individual for possible training for our Compliance Coordinator.

Tom Cumpston and Stafford Lehr commended Richard Floch for a job well done and the schedule he has set forth. Steve Setoodeh indicated that Richard has been a valuable resource to us and provides continuity.

#### **10. January-February Forecast Methodology Report** **(Harold Meyer, ECORP Consulting, Inc.)**

Harold Meyer of ECORP Consulting presented a methodology for forecasting run-off, using snow water content for Project 184 for as early as January and February of new year.

The powerpoint presentation depicted a graph of snow gauge information at Alpha, Caples Lake, Silver Lake, Schneiders and Mud Lake. For each one of these locations, ECORP had plotted a graph against the Kyburz unimpaired flow. Caples Lake was the most suitable station. He set forth a regression equation, which depicted the run-off as it related to wet, above normal, below normal, dry, and critically dry conditions. ECORP plotted the graph for January and February and the four other gauges were quite similar in snow water content. He presented a comparison from the January 1 water comparison from 1976 through 1983 and had similar data for February and for each gauge of the various areas. The methodology produces a reasonable forecast of coming year type in January and February.

EID has asked ECORP to put together a Position Analysis, which will give us more information as to operational options by taking a look at what the position at the beginning of October, November, December and January. Chris Shutes commented that by using the January/February figures, it would be good for forecasting the dry years but possibly not so good at projecting the wet years. [Note: I did not say this. I think Harold may have said something on this topic, but I do not recall the gist of what it was.]

Stafford Lehr wanted to know if we were able to handle potentially high flows, given current storm conditions. Were we set up for that and could our system handle something big? Mark Korkowski informed us that the canal can handle 150 cfs and that we have 24-hour monitoring going on including our SCADA software program.

Stafford Lehr wanted to know if there was any reason not to use this methodology, and Mr. Cumpston wanted to know how we shall move forward with this. Beth Paulson indicated that since we have the tools, they need to be applied. She wanted to know how will these tools work out with our decision-making process to which Mr. Cumpston replied that we have a year from the issuance from the license to work on it. Stafford

indicated that we should see what the position analysis shows and to see how the January/February analysis works out. Mr. Meyer was concerned about having something to work with over the next six to seven months. Ms. Paulson indicated that in the transition months, how would the system be operating? She wants to be sure that we had looked at all the possible tools and then make a decision as to how they are going to be used for Caples Lake in January/February. Stafford proposed to have a specified time allotment for this issue at the next regular ERC meeting. Chris Shutes suggested that in addition to discussing the position analysis at the next ERC meeting, that Mr. Meyer should document his proposal for February as well as for January.

#### **11. Follow-Up Actions Identified for Next Meeting**

Tom Cumpston requested action items for the next meeting. They are:

1. EID will send an email to set up a sub-committee run by Tom Henie, for the fish fund, with the proposal developed by the next ERC meeting;
2. EID will ascertain whether FERC license amendment is required for Spillway 20;
3. EID will to contact Jim Canaday (SWRCB) with regard to temperature monitoring sites;
4. EID will provide the Forest Service and Fish & Game with a specific scope for 2004 deer fence work.
5. Canal Bench slope stability update and meeting with Forest Service geologist;
6. Follow-up discussions regarding Mill Creek diversion;
7. Mark Korkowski to provide list and priority for 2004 projects;
8. Schedule agency review and approval of the monitoring processes and other projects into planning schedules.
9. Tom Cumpston wants to receive any proposal with respect to the League Settlement Agreement.

#### **12. Questions or Comments.**

None.

#### **13. Next Meeting Date.**

Tom Cumpston proposed having meetings every two to three months. The following dates were agreed to: April 27, June 22, August 24, and October 26 (each a full day, though they may be shortened). Stafford Lehr wants to agendaize these meetings with

possible sub-committees via conference call. EID will send out email to coordinate meetings.

#### **14. Adjournment**

The ERC adjourned at approximately 12:20 p.m.